

BOARD OF ADJUSTMENT

MINUTES

April 25, 2012

2:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Paul Skipper, Chairman
Doug Lampe, Vice Chairman
Park Lampson, Member
Stephan M. Phalor, J.D., Member
David Littell, Member

ALSO PRESENT:

Catherine Hartley, Senior Planner
Pamala Prell, Deputy City Clerk, MMC

1. Public Hearings:

Case No. 2012-0005, Applicant Daniel Walsh, Property address 3940 Belle Vista Drive, East. Applicant requests a variance from Section 6.14 of the Land Development Code to encroach into the required 7 foot side yard setback by 3 feet 3 inches for installation of pool equipment.

Senior Planner Catherine Hartley explained that Mr. Walsh purchased this home in 2011, with the pool equipment in the side yard setback. Ms. Hartley explained that the plans that were submitted in 2006, to build the home, showed the pool equipment in another location; however it was placed within the side yard setback and now requires an "after the fact" variance.

Mr. Daniel Walsh, 3940 Belle Vista Drive, was present to address the application. Mr. Walsh explained that he was not aware that the pool equipment encroached into the side yard setback. Mr. Walsh stated that he could move the equipment to another location, but that it would create more noise because it would be in a corner location and the sound would

travel towards his neighbor. He was also concerned that if they move the equipment it may not work properly due to the elevation of the pool.

Mr. Randal Pickleman, of Curtis Pools, stated that he was hired by the general contractor and was told to place the pool equipment in the side yard because the owners did not want it near the patio and their outdoor kitchen area.

Chairman Skipper asked if there was a final inspection on the pool. Mr. Pickleman stated that there was never a final inspection because the contractor would not respond to him. He stated that he attempted to get an inspection on May 13, 2009, but did not have access to the property.

Chairman Skipper advised Mr. Pickleman that he should get a final inspection on the pool.

Senior Planner Hartley stated that Mr. Ruttencutter sent a letter of objection that was included in the agenda packet.

Chairman Skipper asked for audience comments.

Mr. Ed Ruttencutter, 3956 Belle Vista Drive East, spoke in opposition to the variance and stated that his back yard floods with a heavy rain and that he did not want the equipment to encroach into the side yard setback, which was next door to his home. Mr. Ruttencutter stated that he did not think that there was a hardship in this case because the equipment could be relocated to another place on the lot.

Chairman Skipper closed audience comments.

The board did not express any concerns regarding the application.

Member Phalor made a motion to approve the application, as submitted. The motion was seconded by Member Lampe and unanimously approved by a roll call vote.

Case No. 2012-0012, Property address: 5445 together with 5455 Gulf Boulevard. Applicant/Agent Jason Sanchez, on behalf of Dan Belino, requests a variance from Section 26.37 of the Land Development Code – Maximum Height for a Monument Sign in the Activity Center District is 8 feet. Applicant requests a monument sign height of 9 feet 8 inches.

Senior Planner Catherine Hartley stated that the application was for a variance for a monument sign and Mr. Sanchez was in attendance to represent the case.

Mr. Jason Sanchez, 4901 1st Avenue North, St. Petersburg, Florida, explained that this property has a berm around the corner along 55th Avenue and Gulf Boulevard and he had to carve the berm out in order to raise the whole sign assembly so that it would be visible. Mr. Sanchez pointed out that the base of the fountain was lowed to the same grade as the pedestrian sidewalk.

Chairman Skipper asked for audience comments. There were no audience comments. Chairman Skipper closed audience comments.

The board did not express any concerns regarding the application.

Member Phalor made a motion to approve the application, as submitted. The motion was seconded by Member Lamp and unanimously approved by a roll call vote.

2. Other Discussion

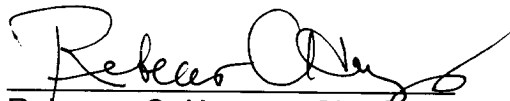
Chairman Skipper suggested that the Planning Board review the setback requirements for pool equipment. He stated that he did not think the front yard was a good location for that type of equipment.

Senior Planner Hartley stated that she would present the issue to the Planning Board for their review.

3. Adjournment

There being no further business to come before the board, the meeting was adjourned at 2:51 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Paul Skipper, Chairman

Minutes approved on: 7-25-12